

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

EDNA L. RAMEY,

Plaintiff,

v.

JOHN E. POTTER,

Defendant.

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No. 08 C 1358

Judge Gettleman

JOINT STATUS REPORT

Edna L. Ramey and John E. Potter, Postmaster General, by his attorney, Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois, submits this initial joint status report in accordance with the court's standing orders:

A. The status report in this case is due on August 20, 2008, and a status hearing is set for August 27, 2008, at 9:00 a.m.

B. Plaintiff Edna L. Ramey brings this case *pro se*. The defendant United States Postal Service is represented by Assistant U.S. Attorney Donald R. Lorenzen who expects to try the case.

C. Plaintiff's complaint arises under the laws of the United States, specifically 42 U.S.C. §§ 2000e *et seq.*, making jurisdiction proper pursuant to 28 U.S.C. § 1331.

D. Plaintiff has requested a jury.

E. In the summer of 2006, plaintiff took voluntary early retirement after the Postal Service did not select her for the position of Business Service Network (BSN) Representative in May 2006. She contends that the non-selection amounted to constructive discharge of her by the Postal Service based on her race and in reprisal against her based on her prior EEO activities. The Postal

Service denies these allegations, contends that legitimate business reasons supported the non-selection, and states that plaintiff voluntarily retired.

F. Plaintiff Ramey seeks compensation “for the four years for which I took the constructive discharge.”

G. Plaintiff has served the U.S. Postal Service, the United States Attorney for the Northern District of Illinois, and the U.S. Attorney General.

H. Whether the plaintiff can establish a *prima facie* case of constructive discharge and was a victim of discrimination.

I. Whether the defendant constructively discharged plaintiff by not selecting her for the position of Business Service Network Representative.

J. Plaintiff is currently uncertain regarding what motions, if any, she may file. Defendant anticipates filing a motion for summary judgment following the completion of all discovery in this case.

K. Proposed discovery plan:

- a. Initial disclosures due September 26, 2008
- b. Fact discovery closes February 27, 2009
- c. Plaintiff’s Rule 26(a)(2) (Expert) report, if any, due April 13, 2009
- d. Defendants Rule 26(a)(2) report, if any due, May 28, 2009
- e. Expert discovery closes July 10, 2009

L. The parties would be ready for trial either 90 days following an adverse ruling on defendants’ motion for summary judgment or 90 days after the close of expert discovery if no motion for summary judgment is filed. The parties expect that trial would take approximately 5 days.

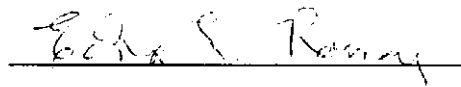
M. The parties have not discussed settlement and a settlement conference is not likely to be productive at this point.

N. The parties do not consent to trial before the magistrate judge.

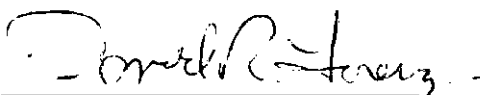
Dated: August 4, 2008

Respectfully submitted,

EDNA LEWIS-RAMEY

A handwritten signature in cursive script, appearing to read "Edna L. Ramey", written over a horizontal line.

PATRICK J. FITZGERALD
United States Attorney


By: A handwritten signature in cursive script, appearing to read "Donald R. Lorenzen", written over a horizontal line.

DONALD R. LORENZEN
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Certificate of Service

Donald R. Lorenzen, an attorney, certifies that on August 4, 2008, he caused the forgoing
Joint Status Report to be served by hand delivery upon:

Edna Lewis-Ramey
739 Countryside Drive
Bolingbrook, Illinois 60490
(630) 378-5327

A handwritten signature in black ink, reading "Donald R. Lorenzen", with a horizontal line extending to the right.

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